

UNITED STATES DISTRICT COURT

18-551

FOR THE EASTERN DISTRICT OF PENNSYLVANIA — DESIGNATION FORM to be used by counsel to indicate the category of the case for the purpose of assignment to appropriate calendar.

FL-S

Address of Plaintiff: _____

Address of Defendant: _____

 Place of Accident, Incident or Transaction: _____
 (Use Reverse Side For Additional Space)

Does this civil action involve a nongovernmental corporate party with any parent corporation and any publicly held corporation owning 10% or more of its stock?

(Attach two copies of the Disclosure Statement Form in accordance with Fed.R.Civ.P. 7.1(a))

Yes ☐ No ☐

Does this case involve multidistrict litigation possibilities?

Yes ☐ No ☐

RELATED CASE, IF ANY:

Case Number: MDL 2323-TR Judge: Brody Date Terminated: _____

Civil cases are deemed related when yes is answered to any of the following questions:

1. Is this case related to property included in an earlier numbered suit pending or within one year previously terminated action in this court?
Yes ☐ No ☐
2. Does this case involve the same issue of fact or grow out of the same transaction as a prior suit pending or within one year previously terminated action in this court?
Yes ☐ No ☐
3. Does this case involve the validity or infringement of a patent already in suit or any earlier numbered case pending or within one year previously terminated action in this court?
Yes ☐ No ☐
4. Is this case a second or successive habeas corpus, social security appeal, or pro se civil rights case filed by the same individual?
Yes ☐ No ☐

CIVIL: (Place ☒ in ONE CATEGORY ONLY)

A. Federal Question Cases:

1. ☐ Indemnity Contract, Marine Contract, and All Other Contracts
2. ☐ FELA
3. ☐ Jones Act-Personal Injury
4. ☐ Antitrust
5. ☐ Patent
6. ☐ Labor-Management Relations
7. ☐ Civil Rights
8. ☐ Habeas Corpus
9. ☐ Securities Act(s) Cases
10. ☐ Social Security Review Cases
11. ☐ All other Federal Question Cases
(Please specify) _____

B. Diversity Jurisdiction Cases:

1. ☐ Insurance Contract and Other Contracts
2. ☐ Airplane Personal Injury
3. ☐ Assault, Defamation
4. ☐ Marine Personal Injury
5. ☐ Motor Vehicle Personal Injury
6. ☒ Other Personal Injury (Please specify)
7. ☐ Products Liability
8. ☐ Products Liability — Asbestos
9. ☐ All other Diversity Cases

(Please specify)

2/9/18

ARBITRATION CERTIFICATION

(Check Appropriate Category)

I, _____, counsel of record do hereby certify:

- ☐ Pursuant to Local Civil Rule 53.2, Section 3(c)(2), that to the best of my knowledge and belief, the damages recoverable in this civil action case exceed the sum of \$150,000.00 exclusive of interest and costs;
- ☐ Relief other than monetary damages is sought.

DATE: _____

Attorney-at-Law

Attorney I.D.# _____

NOTE: A trial de novo will be a trial by jury only if there has been compliance with F.R.C.P. 38.

I certify that, to my knowledge, the within case is not related to any case now pending or within one year previously terminated action in this court except as noted above.

DATE: 2/9/18

Enc Sobieski, Deputy Clerk

Attorney-at-Law

Attorney I.D.# _____

**UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION**

**IN RE: NATIONAL FOOTBALL LEAGUE
PLAYERS' CONCUSSION INJURY LITIGATION**

18-551

MDL No. 2323

(SEE ATTACHED SCHEDULE)

FILED

FEB - 9 2018

CONDITIONAL TRANSFER ORDER (CTO -102) KATE BARKMAN, Clerk
By _____ Dep. Clerk

On January 31, 2012, the Panel transferred 3 civil action(s) to the United States District Court for the Eastern District of Pennsylvania for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. *See* 842 F.Supp.2d 1378 (J.P.M.L. 2012). Since that time, 192 additional action(s) have been transferred to the Eastern District of Pennsylvania. With the consent of that court, all such actions have been assigned to the Honorable Anita B. Brody.

It appears that the action(s) on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the Eastern District of Pennsylvania and assigned to Judge Brody.

Pursuant to Rule 7.1 of the Rules of Procedure of the United States Judicial Panel on Multidistrict Litigation, the action(s) on the attached schedule are transferred under 28 U.S.C. § 1407 to the Eastern District of Pennsylvania for the reasons stated in the order of January 31, 2012, and, with the consent of that court, assigned to the Honorable Anita B. Brody.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Eastern District of Pennsylvania. The transmittal of this order to said Clerk shall be stayed 7 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 7-day period, the stay will be continued until further order of the Panel.

Inasmuch as no objection is pending at this time, the stay is lifted.

Feb 07, 2018

CLERK'S OFFICE
UNITED STATES
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

FOR THE PANEL:



Jeffery N. Lüthi
Clerk of the Panel

**IN RE: NATIONAL FOOTBALL LEAGUE
PLAYERS' CONCUSSION INJURY LITIGATION**

MDL No. 2323

SCHEDULE CTO-102 – TAG-ALONG ACTIONS

<u>DIST</u>	<u>DIV.</u>	<u>C.A.NO.</u>	<u>CASE CAPTION</u>
FLORIDA SOUTHERN			
FLS	1	17-24727	Burnett v Riddell, Inc. et al

AMS,CLOSED

**U.S. District Court
Southern District of Florida (Miami)
CIVIL DOCKET FOR CASE #: 1:17-cv-24727-JLK**

18-551

Burnett v Riddell, Inc. et al
Assigned to: Senior Judge James Lawrence King
Cause: 28:1332 Diversity-Tort/Non-Motor Vehicle

Date Filed: 12/29/2017
Date Terminated: 02/08/2018
Jury Demand: Both
Nature of Suit: 360 P.I.: Other
Jurisdiction: Diversity

Plaintiff**Kevin Bradley Burnett, II**

represented by **Adam B Kenner**
Adam B. Kenner P.A.
175 SW 7th Street
PH2410
Miami, FL 33130
561-350-3391
Email: adam@ki-law.com
ATTORNEY TO BE NOTICED

V.

Defendant**Riddell Sports Group, Inc.**

represented by **Loren William Fender**
Bowman and Brooke LLP
Suite 800
Two Alhambra Plaza
Miami, FL 33134-5214
305-995-5617
Email: loren.fender@bowmanandbrooke.com
ATTORNEY TO BE NOTICED

Defendant

All American Sports Corporation
doing business as
Riddell/All American

represented by **Loren William Fender**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant**BRG Holdings Corporation**

represented by **Loren William Fender**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

BRG Sports, LLC
formerly known as
Easton-Bell Sports, Inc.

represented by **Loren William Fender**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant**EB Sports Corporation**

represented by **Loren William Fender**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

BRG Sports, Inc.
formerly known as
Easton-Bell Sports, Inc.

represented by **Loren William Fender**
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Riddell, Inc.
doing business as
Riddell Sports Company

represented by **Loren William Fender**
(See above for address)
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text

12/29/2017	<u>1</u>	COMPLAINT <u>1</u> :17-cv-24727 against BRG Holdings Corporation, EB Sports Corp., Easton-Bell Sports LLC., Easton-Bell Sports, Inc., Riddell Sports Group, Inc., Riddell, Inc., Riddell/All American. Filing fees \$ 400.00 receipt number 113C-10292506, filed by kevin bradley burnett, ii. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summon(s), # <u>3</u> Summon(s), # <u>4</u> Summon(s), # <u>5</u> Summon(s), # <u>6</u> Summon(s), # <u>7</u> Summon(s), # <u>8</u> Summon(s))(Kenner, Adam) (Entered: 12/29/2017)
12/29/2017	<u>2</u>	Clerks Notice of Judge Assignment to Senior Judge James Lawrence King. Pursuant to 28 USC 636(c), the parties are hereby notified that the U.S. Magistrate Judge Andrea M. Simonton is available to handle any or all proceedings in this case. If agreed, parties should complete and file the Consent form found on our website. It is not necessary to file a document indicating lack of consent. Pro se (NON-PRISONER) litigants may receive Notices of Electronic Filings (NEFS) via email after filing a Consent by Pro Se Litigant (NON-PRISONER) to Receive Notices of Electronic Filing. The consent form is available under the forms section of our website. (rmsl) (Entered: 01/02/2018)
01/02/2018	<u>3</u>	Summons Issued as to All American Sports Corporation, BRG Holdings Corporation, BRG Sports, Inc., BRG Sports, LLC, EB Sports Corporation, Riddell Sports Group, Inc., Riddell, Inc.. (rmsl) (Entered: 01/02/2018)
01/15/2018	<u>4</u>	SUMMONS (Affidavit) Returned Executed on <u>1</u> Complaint, with a 21 day response/answer filing deadline by Kevin Bradley Burnett, II. All American Sports Corporation served on 1/11/2018, answer due 2/1/2018; BRG Holdings Corporation served on 1/11/2018, answer due 2/1/2018; BRG Sports, Inc. served on 1/11/2018, answer due 2/1/2018; BRG Sports, LLC served on 1/11/2018, answer due 2/1/2018; EB Sports Corporation served on 1/11/2018, answer due 2/1/2018; Riddell Sports Group, Inc. served on 1/11/2018, answer due 2/1/2018; Riddell, Inc. served on 1/11/2018, answer due 2/1/2018. (Kenner, Adam) (Entered: 01/15/2018)
01/29/2018	<u>5</u>	Unopposed MOTION for Extension of Time to File Response/Reply/Answer as to <u>1</u> Complaint, by All American Sports Corporation, BRG Holdings Corporation, BRG Sports, Inc., BRG Sports, LLC, EB Sports Corporation, Riddell Sports Group, Inc., Riddell, Inc.. Attorney Loren William Fender added to party All American Sports Corporation(pty:dft), Attorney Loren William Fender added to party BRG Holdings Corporation(pty:dft), Attorney Loren William Fender added to party BRG Sports, Inc. (pty:dft), Attorney Loren William Fender added to party BRG Sports, LLC(pty:dft), Attorney Loren William Fender added to party EB Sports Corporation(pty:dft), Attorney Loren William Fender added to party Riddell Sports Group, Inc.(pty:dft), Attorney Loren William Fender added to party Riddell, Inc.(pty:dft). (Fender, Loren) (Entered: 01/29/2018)
01/30/2018	<u>6</u>	NOTICE by All American Sports Corporation, BRG Holdings Corporation, BRG Sports, Inc., BRG Sports, LLC, EB Sports Corporation, Riddell Sports Group, Inc., Riddell, Inc. re <u>5</u> Unopposed MOTION for Extension of Time to File Response/Reply/Answer as to <u>1</u> Complaint, of <i>Filing Exhibit A to Motion for Extension of Time (ECF No. 5)</i> (Attachments: # <u>1</u> Exhibit A) (Fender, Loren) (Entered: 01/30/2018)
01/30/2018	<u>7</u>	ORDER Granting <u>5</u> Motion for Extension of Time to File Answer to a Complaint or Other Case Initiating Document. Re: <u>1</u> Complaint, filed by Kevin Bradley Burnett, II. Signed by Senior Judge James Lawrence King on 1/30/2018. (jw) (Entered: 01/30/2018)
02/08/2018	<u>8</u>	Certified CONDITIONAL TRANSFER ORDER (CTO-102) transferring case to the Eastern District of Pennsylvania re: MDL 2323 for consolidated pretrial proceedings pursuant to 28 USC 1407 and assigned to the Honorable Anita B. Brody. (Signed by Jeffery N. Luthi, Clerk of the Panel). (gp) (Entered: 02/08/2018)
02/08/2018		Civil Case Terminated/Closing Case per <u>8</u> Conditional Transfer Order. (gp) NOTICE: If there are sealed documents in this case, they may be unsealed after 1 year or as directed by Court Order, unless they have been designated to be permanently sealed. See Local Rule 5.4 and Administrative Order 2014-69. (Entered: 02/08/2018)
02/08/2018		SYSTEM ENTRY - Case 1:17-cv-24727 electronically transferred out to Pennsylvania Eastern. (gp) (Entered: 02/08/2018)

PACER Service Center			
Transaction Receipt			
02/09/2018 08:48:59			
PACER Login:	ud1652:4263085:0	Client Code:	
Description:	Docket Report	Search Criteria:	1:17-cv-24727-JLK
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